

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

**EASTMOOR ESTATES RESIDENTS
ASSOCIATION, ET AL**

VS.

CIVIL ACTION NO. 4:10CV144-WAP-JMV

GLENN MILLER, ET AL.

ORDER

Before the court is Defendant City of Moorhead, Mississippi's Motion for Leave of Court to File for, Receive and Use Grant Funds Without Prejudice (Doc. # 89). The City essentially seeks an order allowing it to make application for, accept and use grant funds for rehabilitation and/or repair of the sewer and water system at issue in this case without prejudice to the position it has taken on the issues raised in this matter or in any similar or collateral proceeding. For good cause shown, and having been advised by counsel for the parties that no party has an objection, the court finds the motion is well-taken and is hereby **GRANTED**. The City has permission to apply for grant funds to rehabilitate and/or repair the sewer and water system at issue in this lawsuit without prejudice to the position it has taken in this lawsuit or in any similar or collateral proceeding.

SO ORDERED this 7th day of September, 2011.

/s/Jane M. Virden

UNITED STATES MAGISTRATE JUDGE